

ChicagoFIRST

Fostering Industry Resilience
and Security through Teamwork

July 6, 2009

Re: GN Docket No. 09-51

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To Whom It May Concern:

On behalf of ChicagoFIRST, we are writing to address the need of the federal government to consider methods of ensuring that sufficient bandwidth exists so that critical infrastructure functions may be performed via telecommuting in the event of a pandemic or other crisis. Such assurance will require the federal government to consider the ability and appropriateness of rationing bandwidth to maintain economic activity under certain circumstances.

Paragraph 79 of the Notice of Inquiry¹ addresses these issues in asking whether telecommuting will “trigger significant congestion and delays in the flow of data . . . particularly at the . . . residential Internet access levels.” The paragraph also asks whether “traffic prioritization schemes” will be necessary “to maintain the flow of data essential to the nation’s economy.” These, and other questions within Paragraph 79, raise excellent issues that deserve a thorough analysis. In this letter, we offer our views on these matters.

Formed in 2003, ChicagoFIRST is a nonprofit association of financial institutions in the Chicago area. Its members collaborate on issues of business resilience and homeland security and, as a group, partner with government at all levels on issues that include pandemic preparedness.² The organization, along with the financial sector generally, has been actively involved in pandemic planning issues since 2005.

Federal guidelines require that critical financial firms be able to resume business within just a few hours in a disaster.³ Other financial firms are critical to their small business and individual customers and communities and need to be functioning during a crisis. The federal government has proposed in multiple documents that businesses, including critical infrastructure, respond to a pandemic by implementing a telecommuting policy so that business functions may be conducted from local neighborhoods.⁴

Given the government’s promotion of telecommuting and the likelihood that a severe pandemic will lead both the sick and well to remain at home, telecommuting has become an integral component of financial sector pandemic planning. As a result, the financial sector has been working to determine whether the bandwidth in local neighborhoods is sufficient to conduct critical operations at the same time that children may be home from school, adults may be home sick or caring for the sick, and a significant proportion of them may be using the Internet.

The Financial Services Sector Coordinating Council (FSSCC) is a public/private partnership through which financial institutions and the federal government address national policy issues affecting financial sector resilience.⁵ In 2006, FSSCC established the Infectious Disease Forum (IDF) to address telecommuting, among other pandemic planning issues. The IDF arranged in

2007 for the National Communications System (NCS) to study the viability of the telecommuting strategy.

The NCS study relied on ChicagoFIRST members, who produced data by zip code as to where critical functions would be conducted. The final report produced useful best practices that would reduce Internet congestion and found, among other things, that given:

a 40 percent absenteeism scenario, the telecommuting strategy is expected to be significantly impacted for most telecommuters . . . The Federal government should work with industry to investigate mechanisms that could be implemented when voluntary compliance with best practices is not enough to enable the telecommuting strategy to succeed.⁶

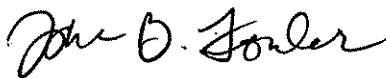
In response to these findings, ChicagoFIRST sought to have the federal government develop options for addressing Internet congestion under such conditions. Such options must necessarily take into account the telecommuting needs of the identified critical sectors, as well as the possibility that some important functions, like education, may turn to virtual classrooms. These efforts culminated in the undertaking of a Government Accountability Office (GAO) study of the issue, the final report of which is due in the fall of 2009.⁷

ChicagoFIRST strongly believes that any national broadband plan must include options for addressing the network congestion that would result in the event of a serious pandemic, bioterrorism attack, or other possible disasters. Prioritization schemes must be considered, although ChicagoFIRST lacks the expertise to comment about how this would be accomplished. However, any such options must ensure that the data flows critical to the nation's economy continue. Thus, traffic should be prioritized on its criticality to national and economic security.

Paragraph 79 also asks which federal agencies should set and enforce these priorities. In addition to the Federal Communications Commission, at a minimum, the U.S. Department of Homeland Security (DHS) should also be involved in this process. Through its public/private partnership structure, DHS is in a unique position to bring together the critical sectors to address the types of Internet access needed and how it might be apportioned. The relevant critical sectors should also be involved in the process, and some degree of testing should be conducted to ensure that any Internet congestion reduction scheme will actually achieve its stated goals.

Thank you for the opportunity to comment on the National Broadband Plan. Please feel free to contact us if you have any questions about this letter.

Sincerely,



John B. Fowler
Chair, ChicagoFIRST
Senior Vice President & Director
Global Physical Security Services,
Business Continuity & Recovery Services
Northern Trust Bank



Brian Tishuk
Executive Director
ChicagoFIRST

¹ Federal Communications Commission, *A National Broadband Plan for Our Future*, Notice of Inquiry, GN Docket No. 09-51, April 8, 2009.

² For more information about ChicagoFIRST, please see www.chicagofirst.org.

³ Federal Reserve Board, Office of the Comptroller of the Currency, and Securities and Exchange Commission, *Interagency Paper on Sound Practices to Strengthen the Resilience of the U.S. Financial System*, April 8, 2003.

⁴ White House Homeland Security Council, *National Strategy for Pandemic Influenza Implementation Plan*, May 2006; U.S. Department of Homeland Security, *Pandemic Influenza Guide for Critical Infrastructure and Key Resources*, June 2006; and U.S. Department of Health and Human Services, *Community Strategy for Pandemic Influenza Mitigation*, February 2007.

⁵ For more information about FSSCC, please see www.fsscc.org.

⁶ U.S. Department of Homeland Security, *Pandemic Influenza Impact on Communications Networks Study*, December 2007, page iii.

⁷ At the request of ChicagoFIRST, the respective Chairmen of the Committees on Energy and Commerce and on Financial Services within the U.S. House of Representatives, Chairmen John Dingell and Barney Frank issued a joint letter requesting a GAO study on February 14, 2008.